

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

United States of America

ORDER OF DETENTION PENDING TRIAL

v.

Muhammad Abdul Salaam /

Case Number: 09-30436-3

Defendant

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

Part I – Findings of Fact

- ☐ (1) I find that:
- ☐ there is probable cause to believe that the defendant has committed an offense
 - ☐ for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841 or 846;
 - ☐ under 18 U.S.C. § 924(c).

☐ (2) I further find that the defendant has not rebutted the presumption established by finding that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings

✓ I find that the government has established by a preponderance of the evidence that there is a serious risk that the defendant will not appear.

✓ I find that the government has established by clear and convincing evidence that there is a serious risk that the defendant will endanger the safety of another person or the community.

Part II – Written Statement of Reasons for Detention

✓ I find that the credible testimony and information submitted at the hearing established the following factors under 18 U.S.C. § 3142(g):

- ✓ (a) nature of the offense - Conspiracy to receive/sell goods stolen from interstate shipment
- ✓ (b) weight of the evidence - Very strong evidence that defendant participated in three efforts to steal from interstate commerce.
- ✓ (c) history and characteristics of the defendant -
 - ☐ 1) physical and mental condition -
 - ✓ 2) employment, financial, family ties - \$200.00 week job; minimal assets; does have family ties.
 - ✓ 3) criminal history and record of appearance - At least five felony convictions, under various alias names, including CCW, larceny from the person and fraud. Two pending FTA warrants on non felony matters.
- ☐ (d) probation, parole or bond at time of the alleged offense -
- ✓ (e) danger to another person or community - Source information reveals that this defendant is a senior member of Masjid Al-Haqq and a close associate of co-defendant Abdullah, who was killed in a shootout with arresting agents in this case. Source information further reveals that Salaam is referred to as “the gun man” because he has large caches of weapons in various locations. One source testified that he witnessed this defendant commit a murder. A post arrest search of defendant’s home yielded two firearms (despite five felony convictions) and property attained from the charged interstate theft conspiracy. There is also source information that Salaam assisted another individual in escaping to Philadelphia following a shooting in Detroit. Salaam has a record of employing alias identities and has two convictions for fraud/false pretenses. I view him as a flight risk and an extreme danger to the witnesses in this case. I further view him as a danger to the community by reason of his chronic firearms possession.

Part III – Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Date: October 29, 2009

s/Donald A. Scheer

Signature of Judge

Donald A. Scheer, United States Magistrate Judge

Name and Title of Judge